



**"Elmer, Mark (ENRD)"**  
**<MElmer@ENRD.USDOJ.GOV>**

01/16/2007 02:36 PM

To "Fenlon-Gore, Peggy (ENRD)"  
<PFenlon@ENRD.USDOJ.GOV>  
cc Peggy Livingston/ENF/R8/USEPA/US@EPA, Maureen  
O'Reilly/ENF/R8/USEPA/US@EPA, "Koga, Debbie  
(USAUT)" <Debbie.Koga@usdoj.gov>  
bcc  
Subject RE: Richardson Flat - 12/20/06 correspondence  
attached

Yep, interest on the 60k

**From:** Fenlon-Gore, Peggy (ENRD)  
**Sent:** Tuesday, January 16, 2007 2:21 PM  
**To:** Elmer, Mark (ENRD)  
**Cc:** 'Livingston.Peggy@epamail.epa.gov'; 'oreilly.maureen@epa.gov'; Koga, Debbie (USAUT)  
**Subject:** RE: Richardson Flat - 12/20/06 correspondence attached

mark, I would send it to debbie..this is the interest on the escrow of \$60,000...right

**From:** Elmer, Mark (ENRD)  
**Sent:** Tuesday, January 16, 2007 4:01 PM  
**To:** Fenlon-Gore, Peggy (ENRD)  
**Cc:** Livingston.Peggy@epamail.epa.gov; oreilly.maureen@epa.gov; Koga, Debbie (USAUT)  
**Subject:** RE: Richardson Flat - 12/20/06 correspondence attached

I received a check from Noranda today, in the amount of \$386.14, for interest on its settlement payment in U.S. v. United Park City Mines (Civil Action No. 2:06CV00745 PGC). The check is payable to the "U.S. Department of Justice Financial Litigation Office." Debbie, should I forward it to you for processing?

**From:** John D. Fognani [mailto:jfognani@fognanilaw.com]  
**Sent:** Thursday, January 04, 2007 2:00 PM  
**To:** Fenlon-Gore, Peggy (ENRD); Elmer, Mark (ENRD)  
**Cc:** Livingston.Peggy@epamail.epa.gov; oreilly.maureen@epa.gov; Koga, Debbie (USAUT); Sue A. O'Neil  
**Subject:** RE: Richardson Flat - 12/20/06 correspondence attached

More specifically this is for the interest component that the Government believes should have been earned while the funds were held in escrow.

**From:** Fenlon-Gore, Peggy (ENRD) [mailto:Peggy.A.Fenlon@usdoj.gov]  
**Sent:** Wednesday, January 03, 2007 8:44 AM  
**To:** John D. Fognani; Elmer, Mark (ENRD)  
**Cc:** Livingston.Peggy@epamail.epa.gov; oreilly.maureen@epa.gov; Koga, Debbie (USAUT); Sue A. O'Neil  
**Subject:** RE: Richardson Flat - 12/20/06 correspondence attached

this is for the additional monies in escrow?

**From:** John D. Fognani [mailto:jfognani@fognanilaw.com]  
**Sent:** Friday, December 29, 2006 9:15 AM  
**To:** Elmer, Mark (ENRD)

**Cc:** Livingston.Peggy@epamail.epa.gov; oreilly.maureen@epa.gov; Koga, Debbie (USAUT); Fenlon-Gore, Peggy (ENRD); Sue A. O'Neil

**Subject:** RE: Richardson Flat - 12/20/06 correspondence attached

Mark – As mentioned previously, I do not anticipate that this will be a problem or an issue. Although your letter requests payment by the 31st, I would like to request the opportunity to arrange for payment during the first week of January especially given the fact that most people are on a holiday schedule.

Please let me know if that will be a problem on your side. Best wishes to you and to all listed as copied on this note for the holidays and the New Year. John

**From:** Elmer, Mark (ENRD) [mailto:Mark.Elmer@usdoj.gov]

**Sent:** Wednesday, December 20, 2006 10:04 AM

**To:** John D. Fognani

**Cc:** Livingston.Peggy@epamail.epa.gov; oreilly.maureen@epa.gov; Koga, Debbie (USAUT); Fenlon-Gore, Peggy (ENRD)

**Subject:** Richardson Flat - 12/20/06 correspondence attached